

CONDITIONS OF APPROVAL**LINDQUIST 28-LOT PLANNED UNIT DEVELOPMENT
CU2004-0007 / LD2004-0015 / SV2004-0001**

If all three applications are ultimately approved staff recommend the following conditions of approval to the Planning Commission for the Lindquist PUD applications:

CU2004-0007 Final Planned Unit Development

Prior to issuance of the site development permit, the applicant shall:

1. Be aware that the conditional use granted shall run with the land and shall continue to be valid upon a change of ownership of the site or structure unless otherwise specified in conditions attached to the permit. (Development Service / TTR)

Prior to building permit issuance, the applicant shall:

2. In accordance with Section 10.65.5.A.6 of the Beaverton Development Code, file a copy of this approved permit with the Washington County Department of Assessment and Taxation. The conditions of approval to be recorded may be in the form of a Land Use Order or other City issued document. (Development Service / TTR)
3. Provide setbacks concurrent with the following Parent Parcel Perimeter Minimum Setback Requirements for any dwelling or form of structure (for example decks over 30 inches in height) which shall comply with the City of Beaverton's Development Code as follows:

Parent Parcel Perimeter Minimum Setback and Driveway Length Requirements	
Lots Nos.	Perimeter Setback Requirement
1 & 28	Side yard to Walker min. 20 feet
1-4, 8 & 9	Rear yard to 173 rd min. 5 feet
All structures	8 feet spacing between all structures and minimum of 18.5 feet from garage door to back of sidewalk or a maximum of 5 feet from garage door back of sidewalk.

LD2004-0015 Land Division

Prior to issuance of the site development permit, the applicant shall:

1. Contract with a professional engineer (or professional architect if allowed by the City Engineer) to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4303 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (February 2004, Resolution and Ordinance 2004-009), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
2. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4303; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
3. Have the ownership of the subject property guarantee all public improvements, storm water management (quality and quantity) facilities, site grading, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
4. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
5. Have obtained the City Building Official's approval of the private plumbing plan for facilities regulated under the Uniform Plumbing Code with Oregon Amendments. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the Walker Road and 173rd Avenue rights of way. (Site Development Div./JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans. (Site Development Div./JJD)

8. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction and service extensions. (Site Development Div./JJD)
9. Submit a copy of issued permits or other approvals needed from the Clean Water Services District for storm system connections and any connection to an Agency sanitary-sewer trunk main (24 inches in diameter or larger). (Site Development Div./JJD)
10. Submit a completed 1200-C General Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. (Site Development Div./JJD)
11. Submit a detailed water supply analysis (Fire Flow) to the City Building Official in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. (For more information, see http://www.tvfr.com/Dept/fm/brochures/fire_flow_and_hydrant_requirements.pdf) If needed, this analysis shall include an actual flow test and analysis by a professional engineer meeting the standards set by the City Engineer. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)
12. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
13. Provide a final engineering analysis of the grading and construction work proposed within the 100-year floodplain as necessary to allow for a public notice to be published in a local newspaper by the City Engineer for the proposed floodplain modifications. The applicant's engineer shall certify in writing that the project as designed will meet the requirements of City Code and Clean Water Services Resolution and Order 2004-009 as they refer to the 100 year floodplain, prior to this notice being sent. The public notice and a 10 day appeal period shall occur after final approval of the site development permit plans by the City Engineer and Planning Director. (Site Development Div./JJD)
14. Submit to the City a certified impervious surface determination of the proposed private streets and common areas prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis

and calculations determining the square footage of all impervious surfaces as a total for the entire preliminary plat and for each new common area and tract. (Site Development Div./JJD)

15. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for any common areas and private streets. (Site Development Div./JJD)
16. Submit a copy of issued permits or other approvals needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within a jurisdictional wetland). (Site Development Div./JJD)
17. Provide plans showing a stormfilter vault (for treatment of the site's piped surface water runoff) or stormfilter catch basins with a minimum equivalent of 3.0 cartridges per impervious acre for the site and designed per manufacturer's specifications. Full winter detention will not be required per City Standard for this site. The site's detention system shall provide for retention of the first half inch of rainfall (total volume of run-off). This can be provided in the form of small energy dissipation stilling basins and flow dispersion weirs prior to discharge into the jurisdictional wetland and Willow Creek. (Site Development Div./JJD)
18. Provide plans for street lights (Option C unless otherwise approved by the City Operations and Maintenance Director for public streets, privately owned for private streets) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. (Site Development Div./JJD)
19. Provide evidence that new street intersections meet County and City requirements for intersection sight distance. No obstructions shall be placed within the driveway intersection sight vision triangle except as provided by City Ordinance, including but not limited to parking. New street intersections shall meet sight distance criteria in the Washington County Code and the City's Engineering Design Manual for the design speed of the roadway. (Transportation/DRG)
20. Provide evidence that a Washington County Access Permit has been issued. (Site Development Div./JJD)
21. Provide evidence that Washington County has issued a Facility Permit and financial assurance for any work required within the right of way of SW 173rd Ave and NW Walker Road. (Site Development Div./JJD)

Prior to final plat approval, the applicant shall:

22. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
23. Have constructed the site development improvements, as determined by the City Engineer, sufficient to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)
24. Dedicate full width street right of way through the southwestern corner of the site for the Washington County Arterial Street Improvement Project known as the SW 170th/173rd Avenue Connection. The description of the dedication alignment is to be based on the Washington County project description. The project is being constructed by Washington County to Beaverton Arterial Street Standards, 74 feet of total street right of way (Development Code Sec. Code 60.55.45). (Transportation/DRG)
25. Dedicate street right of way on the east side of SW 173rd Avenue to Beaverton 3-Lane Arterial Street Standards for a total of 37 feet from centerline for the frontage of the site (Development Code Sec. Code 60.55.45). (Transportation/DRG)
26. Record a non-access reservation with Washington County for the entire NW Walker Road and NW 173rd Avenue frontages, except for any County Engineer approved driveway access through the road modification process, to prevent direct vehicle access to that roadway. (Site Development Div./JJD)
27. The final plat shall include the location, ownership and maintenance obligation of all open space tracts of the development. (Development Service / TTR)
28. Subdivision final plat submittal is required. In accordance with Section 50.90 of the Development Code, submittal of a complete final plat application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Development Service / TTR)
29. Areas proposed for common open space, tree preservation, or water quantity or quality shall be labeled as a Tract (such as Tract A, B, and C) on the final plat. The plat shall include a notation stating the purpose of all tracts and assign a maintenance responsibility. (Development Service / TTR)

30. The Developer shall sign a Subdivision Agreement to provide assurance that all the conditions of approval shall be met. (Development Service / TTR)
31. The final plat shall be fully dimensioned and indicate the square footage of all lots and tracts. Plat notes shall state the ownership and maintenance responsibilities of all tracts. The location of access restriction strips, as approved by the City, may be described as a plat note or shown on the plat, as determined by the County Surveyor. (Development Service / TTR)
32. The Developer shall provide written assurance to the Planning Director that each and every lot is buildable without additional variances, under City Ordinances effective as of the date of preliminary plat application submittal. (Development Service / TTR)
33. The applicant shall pay all City liens, taxes, and assessments, or re-apportion it to individual lots. Any liens, taxes or assessments levied by Washington County shall be paid to the County according to their procedures. (Development Service / TTR)
34. Street names shown on the site development plans shall be identical with those on the Final Plat, and street name signs shall not be installed prior to final plat approval. (Development Service / TTR)
35. Prior to final plat approval the developer shall submit a scaled, reduced paper copy of the plat, at a size of 8½ x 11 inches. (Development Service / TTR)
36. Pursuant to Development Code Section 60.15.15.3.G.1 the applicant shall provide a street tree fee of \$200.00 per tree based on a standard of one tree for every 30 lineal feet of street frontage. (Development Service / TTR)
37. Preliminary Subdivision Plat approval is subject to the Conditional Use (CU) approval for a Planned Unit Development and Street Vacation (SV). Final Subdivision Plat approval shall not be finalized unless the City ultimately approves the associated applications for the CU and SV applications or variations of the applications which are consistent with the approved Preliminary Subdivision Plat. (Development Service / TTR)
38. Submit a complete site development permit application and obtain the issuance of site development permit from the Development Services Division. (Development Service / TTR)
39. Remove all existing wells, tanks, and septic drain fields from the site if proposed by the applicant or required by the City Engineer to be abandoned,

during the site work in a manner approved by the governing authority.
(Development Service / TTR)

Prior to building permit issuance, the applicant shall:

40. Pay a storm water system development charge (overall system conveyance) for each new ESU. (Site Development Div./JJD)
41. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)
42. Have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional. (Site Development Div./JJD)
43. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, except high voltage lines (>57kV). (Site Development Div./JJD)
44. Construct the south side of NW Walker Road to Washington County standards, 37 feet of pavement from centerline, including 6 foot bike lane, planter strip and 6 foot sidewalk, for the frontage of the site (Development Code Sec.'s 60.55. 15 & 60.55.30). (Transportation/DRG)
45. Construct a 10 foot wide Shared Use Path within a 15 foot wide easement from the site's eastern most cul-de-sac south across the wetlands area, with a 10 foot inside width wet lands crossing, to the southern property line. (Transportation/DRG)
46. Construct the private street intersection approach to NW Walker Road to Washington County Standards (Development Code Sec.'s 60.55. 15 & 60.55.30). (Transportation/DRG)
47. Post "no parking" signs on the internal private streets in accordance with a street sign plan approved by the City Traffic Engineer. (Transportation/DRG)
48. No building permit shall be issued until after the applicant has provided evidence satisfactory to the Planning Director that conditions herein, set forth and amended thereto have been recorded with the Director of Records for Washington County. Proof of recording is required. (Development Service / TTR)
49. The applicant shall submit a Mylar copy (minimum 4-mil in thickness) of the recorded plat to the City of Beaverton's Building Division. (Development Service / TTR)

Prior to final inspection of any building permit, the applicant shall:

- 50. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./JJD)
- 51. Have the landscaping completely installed, vegetative cover established, or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)

Prior to release of performance security, the applicant shall:

- 52. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
- 53. Provide an additional performance security for 100 percent of the cost of twice-a-year (6-month interval) cleaning, maintenance, and filter recharge/replacement by Stormwater Management, Inc., for the StormFilter vault's cartridges for a two-year period, as determined by the City Utilities Engineer. Alternatively, provide evidence satisfactory to the City Utilities Engineer of a pre-paid service contract with Stormwater Management, Inc., for maintenance of the StormFilters consisting of cartridge replacement and sediment removal per manufacture's recommendations for a two year period from the date of performance acceptance of each respective system. (Site Development/JJD)
- 54. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the treatment vegetation within the surface water management facility, vegetated corridor, and the wetland mitigation areas, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Operations Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Operations Director prior to release of the security. (Site Development Div./JJD)

SV2004-0001 Street Vacation

Prior to Final Vacation Order:

1. A letter from each utility authorized to work in City right-of-ways will be required to be submitted by the applicant. These letters must document the existing facilities or planned facilities for this street right-of-way and any requests from the utilities in regard to the street vacation. The applicable utilities are Comcast Cable, Northwest Natural Gas, Verizon Telephone, Portland General Electric, Clean Water Services, and the Tualatin Valley Water District. (Site Development Div./JJD)
2. Public utilities shall be centered within a minimum fifteen-foot easement. Any private utilities affected by the street vacation shall be accommodated within easements to the applicable utility company, or to the City as a public utility easement. These easements shall be approved and accepted for recording prior to or concurrent with the street vacation order. (Site Development Div./JJD)